



COMMUNITY ALLIANCE for RESPONSIBLE
ENVIRONMENTAL STEWARDSHIP

IMPORTANT FAX NOTICE

Please Deliver The Following Material As Soon As Possible

To: Polly Lowry
RWQCB, Central Valley Region
Fax: 916-464-4800

From: J.P. Cativiela

Date: Oct. 27, 2004

Re: CARES letter

Pages to follow: 2

Please see attached

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Community Alliance for Responsible Environmental Stewardship
915 L Street #C-438, Sacramento, CA 95814
(916) 441-3318
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www.dairycares.com

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COMMUNITY ALLIANCE for RESPONSIBLE
ENVIRONMENTAL STEWARDSHIP

Via Fax

October 27, 2004

Polly Lowry
Regional Water Quality Control Board, Central Valley Region
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670

RE: Comment deadline for draft NPDES permit, Milk Cow Dairies

Dear Ms. Lowry:

This is to express our organization's support for an extension of the current November 5, 2004 deadline for comments on the administrative draft NPDES permit for CAFOs (Milk Cow Dairies). CARES comprises the major dairy processors and trade associations that make up California's dairy industry, including the three largest milk cooperatives in California, the state's largest dairy producer trade association, and leading cheese and dairy products companies.

Because this permit will impact so many operations in this region (we understand that more than 1,000 dairies will require permits under the proposed rules), we believe it is important that dairy producers and their representatives be given adequate time to carefully examine the permit and its implications. The draft permit package is extensive and complex. While it is clear the draft permit will result in a serious economic, administrative and logistical burdens for most dairy producers, proper analysis of that burden will likely take several weeks to complete even with the most concerted, diligent effort. Even more importantly, sufficient time is needed to make thoughtful recommendations related to modifying this proposal, so that proposals which protect water quality without causing undue economic burdens can be developed.

We note that there are just seven business days after the producer/public workshops end for dairy producers to complete their comments and have them delivered to the board by November 5. Dairy producers who fail to meet that tight deadline will not have their comments summarized or included in the Board agenda packet. Although there is an opportunity to submit comments after November 5, it appears very likely that the exercise would be meaningless, because there would not be sufficient time or opportunity for Board to consider those comments before making decisions on the structure of the permit.

Given the importance of allowing meaningful comment from dairy producers, who face aggregate costs of tens of millions of dollars or more related to this process, we urge the

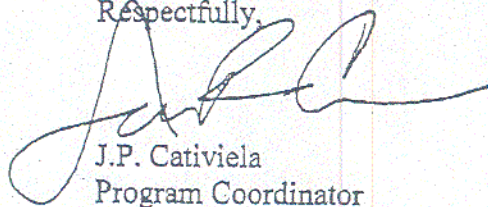
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Regional Board to allow at least a 30-day comment period following the final producer/public workshop, and that the December public workshop be postponed to accommodate this revised schedule. Regardless of your final decision on this matter, our organization remains committed to working closely with the Regional Board on development of the permit and in assuring the highest levels of regulatory compliance and environmental stewardship for our industry.

Respectfully,

A handwritten signature in black ink, appearing to read 'J.P. Cativiela', with a long horizontal flourish extending to the right.

J.P. Cativiela
Program Coordinator